

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE STATE STREET BANK AND	:	
TRUST CO. FIXED INCOME FUNDS	:	
INVESTMENT LITIGATION	:	Civil Action No. 08-md-1945
	:	
	:	
NING YU, On Behalf of Himself and All	:	
Others Similarly Situated,	:	
	:	
Plaintiff,	:	Civil Action No. 08-cv-08235-RJH
	:	
v.	:	ORAL ARGUMENT REQUESTED
	:	
STATE STREET CORPORATION, et al.,	:	
	:	
Defendants.	:	

**STATE STREET’S MOTION TO DISMISS
SECOND AMENDED CLASS ACTION SECURITIES COMPLAINT**

Defendants State Street Corporation, State Street Global Advisors, SSgA Funds, Peter G. Leahy, James Ross and Mark E. Swanson (collectively, "State Street"), based upon the accompanying Memorandum of Law in Support of State Street's Motion to Dismiss, the accompanying Declaration of Robert A. Skinner in Support of State Street's Motion to Dismiss, dated August 27, 2010, and its Exhibits A through I, and upon all the pleadings and proceedings heretofore had herein, hereby move this Court, pursuant to 12(b)(6) of the Federal Rules of Civil Procedure, for an order dismissing Plaintiff's Second Amended Class Action Complaint in its entirety. As grounds for its motion, State Street respectfully submits that each of Plaintiff's claims fails as a matter of law to state a claim.

Dated: August 27, 2010

Respectfully submitted,

ROPES & GRAY LLP

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